

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION

)  
) MDL NO. 1456  
) Civil Action No. 01-12257-PBS  
) Subcategory No. 07-12141

THIS DOCUMENT RELATES TO:

)  
) Judge Patti B. Saris

*The State of Iowa*

v.

*Abbott Laboratories, Inc., et al.*

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)  
)  
)  
)

**UNOPPOSED MOTION FOR EXTENSION TO FILE OPPOSITION  
TO TEVA PHARMACEUTICALS USA, INC. AND NOVOPHARM USA,  
INC.'S MOTION TO COMPEL ANSWERS TO INTERROGATORIES  
AND THE PRODUCTION OF DOCUMENTS**

Plaintiff, by its undersigned counsel, respectfully requests this Court to enter an order granting plaintiff an extension of time to file its Opposition to Teva Pharmaceuticals USA, Inc. and Novopharm USA, Inc.'s Motion to Compel Answers to Interrogatories and the Production of Documents [Docket No. 6823, Sub-docket No. 56].

In support of this motion, plaintiff states as follows:

1. On January 7, 2010, Teva filed a motion to compel answers to interrogatories and the production of documents. Pursuant to Local Rule 7.1(b)(2), plaintiff's opposition would be due on or before January 21, 2010.

2. On January 8, 2010, plaintiff's counsel, Jocelyn R. Normand, wrote to Jennifer Levy, counsel for Teva requesting a 30 day extension to file an opposition, so that it would be due no later than February 22, 2010.

3. On January 11, 2010, Ms. Levy consented to the request for extension.

For the above-stated reasons, plaintiff requests that this motion be granted. A

proposed order is attached hereto.

Dated: January 22, 2010

Respectfully submitted,

TOM MILLER  
ATTORNEY GENERAL FOR  
THE STATE OF IOWA

By: /s/ Joanne M. Cicala  
Joanne M. Cicala (JC 5032)  
Jocelyn R. Normand (JN 0651)

KIRBY McINERNEY LLP  
Special Counsel to the State of Iowa  
825 Third Avenue, 16<sup>th</sup> Floor  
New York, New York 10022  
(212) 371-6600

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on the 22nd day of January, 2010, she caused a true and correct copy of the Unopposed Motion for Extension to File Opposition to Teva Pharmaceuticals USA, Inc. and Novopharm USA, Inc.'s Motion to Compel Answers to Interrogatories and the Production of Documents to be delivered to counsel of record for defendants by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL No. 1456.

/s/ Jocelyn R. Normand  
Jocelyn R. Normand  
Kirby McInerney LLP  
825 Third Avenue, 16<sup>th</sup> Floor  
New York, NY 10022  
(212) 371-6600

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<i>Abbott Laboratories, Inc., et al.</i>	)

IT IS HEREBY ORDERED THAT the State of Iowa be granted an extension to February 22, 2010, to file its opposition to Teva Pharmaceuticals USA, Inc. and Novopharm USA, Inc.'s Motion to Compel Answers to Interrogatories and the Production of Documents.

Dated: January 22, 2010

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Hon. Patti B. Saris  
United States District Court Judge